

***TOWN OF NEWFIELDS BOARD OF SELECTMEN
MEETING MINUTES
JULY 18, 2006***

The meeting was called to order at 6:44pm. Selectmen present were: Janet Smith and Wes Moore. James McIlroy joined the meeting in progress. Others present were: Larry Shaw (Building Inspector), Perry and Kristin Silverstein, Piers Lloyd Owen, Reuben Hull (Town Planner), and Jeff Buxton (Fire Chief).

The Selectmen asked Larry Shaw what penalty is imposed if a building permit is not obtained by a property owner prior to the start of work. Larry stated that currently there is a \$100.00 per day fine in the Ordinances, but it is not being enforced. Right now any construction over \$500.00 for work other than maintenance requires a building permit. Other towns require a permit for any work over \$1,000.00 (except paint and wallpaper) and Larry feels that our requirements should be changed to be more in line with other towns. However, he does feel that all electrical and plumbing work should require a permit and be inspected regardless of the cost of the work. Larry does require a copy of the New Hampshire License for a plumber or electrician along with a copy of their driver's license.

Wes feels that maintenance issues should not require a building permit but that any changes such as additions and renovations should have a building permit.

The Selectmen suggested a discussion with Reuben Hull might answer any questions with regard to implementing fines and the proper procedure to issue a Cease and Desist Order.

Perry and Kristin Silverstein have received a building permit for the deck attached to their home. They are meeting Larry Shaw this Thursday to review the location of the addition they wish to add to their home. They have applied for this permit, but it has not yet been issued. Reuben Hull will be asked about setback requirements for buildings and septic systems from conservation easement lines.

Perry asked if the Town had received the report from Landry Survey with regard to his property. The report has not been received as of now. Janet spoke with Landry Survey and they indicated that the report has been mailed.

Perry expressed his unhappiness about not being notified in advance that his property would be discussed at a Selectmen's Meeting. He would like to attend any meeting that involves his property. The Selectmen told Perry that the Agenda

for the meetings are posted in the Town Office and there isn't always enough time to notify a property owner in advance of a discussion. When Department Heads attend a meeting, the Selectmen often do not know in advance the particular items to be discussed (which could be any property in town). They emphasized that the Selectmen's meetings are open to the public.

Perry asked why there is a question about the placement of his in-ground pool when Dick Bond from Rockingham County Conservation viewed the staked-out area and approved it prior to construction. Larry explained that Dick Bond is only looking at septic and wetland areas, not Conservation Easements.

Wes stated that perhaps it would have been better if the Silverstein's had their property surveyed prior to installing the pool to make sure the construction would be within the specified area. Any property owner with an easement needs to know the easement restrictions to his/her property along with the area affected by such easements.

Discussion on this issue was put on hold until the survey report is received. The Town will not know whether or not there is a violation of the Conservation Easement until the report is received.

The need for a written procedure for reviewing proposed building/construction on all property with a Conservation Easements needs to be put into place before any work is started. The Selectmen will work on putting such a procedure in place.

Piers Lloyd Owen asked what is happening with the trees next to the Town Hall. The tree company gave an estimate of \$4,800.00 to remove the trees. The Town does not have the money in this year's budget to remove the trees, but the project can put on a warrant article next year.

There is a question of who owns the trees – where the property line is located between the Town Hall and Piers' property. Piers expressed his displeasure that the Selectmen have not ordered a property survey. He stated "I thought you would have had the intelligence to get a survey done to determine on whose property the pine trees lie". He was advised that a survey would cost a minimum of \$2,000.00 which is not in the budget, but he could have his own survey done.

Piers stated that the sap from the pine trees is ruining the roof and siding on his barn and killing the grass. The Selectmen told Piers that if he has his own survey done and the trees are on his own property, he can have the trees removed at his own expense.

Piers asked if he could remove the chain link fence between the two properties. He was told to leave the fence as it is until the property lines are determined. The Selectmen will speak with Reuben Hull to see if he can determine the property line without having to hire a surveying company.

Piers asked if the Town is willing to pay one half of the cost of a survey. The Selectmen will discuss it at a later date.

Jeff Buxton had approached Wes Moore with regard to the old Kingston Warren Building which is going before the Planning Board for review. Jeff would like the Fire Department as well as the Building Inspector, Police Department, and Road Agent to be notified in the beginning stages of items going before the Planning Board. This enables the various departments to review the plans and to address any issues or concerns well before the plans are finalized. Old buildings such as the old Kingston-Warren building need to be updated before being renovated. A Fire-Life-Safety review should also be completed as part of the preliminary process.

It was decided between Reuben, Larry, and Jeff that copies of the original application will be given to the Fire Department, Police Department, Building Inspector, and Road Agent as soon as the application is received by the Planning Board. The departments will then have a Technical Meeting where each Department Head will bring attention to any areas they have an issue or concern with before each department signs off on the project before the preliminary hearing.

Reuben feels the Planning Board will agree with this process and he will discuss it at the next Planning Board Meeting on July 20th. Reuben mentioned that the Fire Department has asked for the procedure before, but it was never implemented.

Reuben Hull was asked if there are any setbacks on Conservation Easements in the exclusionary area. He will research this and report back to the Selectmen. Reuben will check for concrete bounds on the property line between the Town Hall and Lloyd-Owen. If he can locate the bounds, a survey will not be required to resolve ownership of the trees.

Last week open positions for the Piscassic Greenway Management Advisory Committee (MAC) were posted. To date four people have responded. The Selectmen will contact the people expressing interest in the positions so that the appointments can be made to interview each applicant.

On High Rock Lane – Reuben will be writing a letter to Robin and Brian Conner stating the Town's progress on the drainage issue. Reuben will speak with the Road Agent to get prices for the options available to correct the road drainage and will report back to the Selectmen at their next meeting.

The Building Facility/Space Committee is still active and Reuben will remain as Chairman. Maureen Smith will schedule the meetings. The Committee gathers information, assesses the information, and speaks with the Town Departments for their space needs. They have most of the information they need to complete the report, but it has to be formulated before it can be submitted to the Selectmen. Reuben feels one more

Committee Meeting will be required to complete the report. James asked if he could have a copy of the work in progress.

The letter from Kimberly and Thomas Montgomery was read regarding the stone wall on Conner Lane. The Selectmen will each go to view the stone wall. Nancy was asked to provide a copy of the letter to Brian Knipstein (Road Agent) and Reuben Hull (Town Planner).

Sue McKinnon attended the New England Municipal Clerks' Institute & Academy last week. The Selectmen would like a report from Sue on the training she received.

Wes made a motion (conditionally upon Fran's acceptance) to move representation on the Cole Easements to Fran Lane and end the Town's relationship with Attorney Alexandra Breed. James seconded the motion. The motion was passed with two yes votes and one no vote. Janet will contact Fran to see if he is available to take on this work as the deadline to complete the easement is the end of July.

Wes contacted Al Dixon again with regard to the lack of a one year Dispatch Contract being sent to the Town of Newfields. This contract is to be effective from January 1st, 2006 through December 31st, 2006.

Wes spoke with resident Dwight Davis who volunteered to work on the new cable contract. Wes will have Bill Davis (Chairman of this committee) to contact Dwight Davis.

Wes made a motion to accept the Minutes as amended on the July 11, 2006 meeting. Janet seconded the motion and the motion passed with all in favor.

Wes left another message with the property owner with a potential junkyard that the Selectmen need his permission to go onto his property for a review. He will try to get a firm date for the Selectmen to view the property.

Kathy Nelson-Smith left word that she would not attend tonight's meeting as scheduled as she spoke with the Road Agent, Brian Knipstein and was very happy that he could resolve the issue.

Checks were signed. A Land Use Change Tax form and the Handbook letter were signed.

The Selectmen decided not to allow a 52' trailer to be parked in the Town Hall Parking Lot for one month. They feel this would interfere with parking for church services held on Sundays at the Town Hall and with parking for the primary election in September. Nancy was asked to call Jim Ryan and advise him that the trailer can be in the parking lot only on September 16th – the date of the Town Hall rental, and that the application, insurance certificate, and \$50.00 rental fee must be submitted to the Town Office prior to that date.

The letter from the NH Department of Transportation was read and copies are to be given to the Road Agent and Town Planner. The correspondence from Rockingham Land Trust along with a copy of the Purchase and Sales Agreement for the Cole property were reviewed. Correspondence from counsel on the noise complaint was also reviewed. The letter from Attorney John P. McGee, Jr. with regard to the Silverstein Easement and Building Permits was read.

The following items were added to the Open item list: High Rock Lane, Conner Lane, and unapproved roads.

The next Selectmen's Meeting will be held on August 1st, 2006.

At 10:00pm Wes made a motion to adjourn the meeting. It was seconded by Janet and the motion passed with all in favor.

Respectfully submitted,

Nancy J. Spencer
Administrative Assistant